UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,133	02/20/2004	Keith Kaehn	2003P03166 US01	7098

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EXAMINER
JAKOVAC, RYAN J

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/783,133	KAEHN ET AL.
	Examiner	Art Unit	
	Ryan J. Jakovac	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *02-20-2004*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-18* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *2-20-2004*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-18 are pending for examination.

Claims 1-18 are rejected.

Specification

1.   The disclosure is objected to because of the following informalities: the number

300 on page 11, line 20 should be changed to "200" as it refers to the "communication

method" of fig. 2. The word "names" on page 12, line 6 should be changed to "name".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Yang et al. (U.S. 2002/0169889, hereinafter "Yang")

With respect to claim 1, Yang discloses a data switching system for directing

requests to initiate a new operation of an executable application (paragraph [0060] The

Apache server directs requests to initiate a new operation of an executable application)

comprising:

a switch processor (paragraph [0060] Apache server can be considered a switch processor) for,

parsing received data representing a received URL to identify whether said received URL is associated with a request to initiate an operation session of an executable application (paragraph [0060] parsing of said data representing an URL associated with a request to initiate an operation session), and if said received URL is associated with a request to initiate an operation session,

initiating a data access request at a second URL address hosted by a particular server (paragraph [0060] "...(4) checks authorization,...(6) processes the request"); and

in response to receiving a response indicating success of said data access request at said second URL address hosted by said particular server, directing said request to initiate said operation session of said executable application to said particular server (paragraph [0060] "...(4) checks authorization,...(6) processes the request, (7) sends response back to client").

With respect to claim 2, Yang teaches the system applied to claim 1, wherein said received URL is at least one of, (a) the same as said second URL and (b) different to said second URL. (said received URL can be the same or different to said second URL since Yang discloses URL table to assign incoming requests to web servers in paragraph [0052]. Furthermore, "the dispatcher 130 consults the URL table when assigning an incoming request to one of the back-end servers" paragraph [0031])

With respect to claim 3, Yang teaches the system applied to claim 1, wherein in response to receiving a response indicating failure of said data access request at said second URL address hosted by said particular server,

directing said request to initiate said operation session of said executable

application to a server other than said particular server. (paragraph [0025] Failing requests are directed to continue processing on another server)

With respect to claim 4, Yang teaches the system according to claim 1, wherein said failure response results from a user changing a destination address stored in said particular server, said destination address corresponding to said second URL address, said failure indicating said particular server is not accepting requests to initiate an operation session of an executable application. (paragraph [0032] network administrator accesses the URL table to access configuration of destinations)

With respect to claim 5, Yang teaches the system according to claim 1 wherein said switch processor (paragraph [0035] the dispatcher 130),

parses data representing a URL to identify whether a URL is associated with a data request of a first or different second type (paragraph [0035] the dispatcher parses the request and consults the URL table), and processes said URL associated data request of a first type differently to a URL associated data request of a second type.

(paragraphs [0041] – [0042] requests for static content (images), and dynamic content (APSs) are processed differently than static content HTML.).

With respect to claim 6, Yang teaches the system according to claim 5, wherein said switch processor (paragraph [0031] the dispatcher) parses data representing a URL associated data request is of a first type by determining if a URL data field identifies a server. (paragraph [0031] the dispatcher consults the URL table when assigning an incoming request to one of the back-end servers)

With respect to claim 7, Yang teaches the system according to claim 6 wherein said switch processor parses data representing a URL to identify whether a URL associated data request is of a first type by determining if a URL data field contains an ASP extension. (paragraph [0035] The dispatcher identifies the type of each request including requests for dynamic content which includes ASPs)

With respect to claim 8, Yang teaches the system according to claim 1, wherein said switch processor parses data representing a URL to identify whether a URL is stateless. (paragraph [0035] The dispatcher identifies the type of each request including requests for static content and session based content)

With respect to claim 9, Yang teaches the system according to claim 8 wherein said switch processor determines if a URL is stateless by determining if a URL data field

contains at least one of, (a) a .gif extension, (b) a .js extension (c) a .jpeg extension and (d) a .html extension. (The dispatcher 130 determines the type of request paragraph [0035]. The dispatcher processes images and html files as static content. Paragraph [0037])

With respect to claim 10, Yang teaches the system according to claim 1 wherein said switch processor redirects a stateless data request directed to said particular server to a server different to said particular server in response to receiving a response indicating failure of said data access request at said second URL address hosted by said particular server. (paragraph [0025] Failing web requests are directed to continue processing on another server)

With respect to claim 11, Yang teaches the system according to claim 1 wherein a URL associated data request of a first type is performable by a particular server and a URL associated data request of a second type is performable by a plurality of different servers. (paragraph [0037] requests are routed to different nodes in the server cluster depending on the type of request)

With respect to claim 12, Yang teaches a system enabling a user to reduce workload of a server to support maintenance of said server, comprising:

an interface processor in a particular server (paragraph [0028] the dispatcher 130) for

changing a destination address stored in said particular server from a first

destination address to a second destination address (paragraph [0031] the dispatcher

130 takes the incoming request and maps it to a back-end server using a URL table), in

response to user command (TCP connection requests are taken to be the user

command. Paragraph [0028]), said change to said second destination address being

used to identify said particular server is unavailable for initiation of new operation

sessions of applications, receiving a URL request to access data at said first destination

address, determining said URL request to access data cannot be accomplished

because of said changed destination address (paragraph [0025] the data request

cannot be accomplished at the particular destination address and is taken up by the

recovery mechanism and rerouted to another server) and

initiating communication of a message identifying failure of said data access

request to a source of said received URL request (paragraph [0024] Yang teaches

sending a message identifying failure. For each of the user's requests, the dispatcher

assigns said request to a selected server and the outgoing response information of said

data access request is relayed back to the client by the dispatcher 130)

With respect to claim 13, Yang teaches the system according to claim 12 wherein

said message identifying failure of said data access request indicates said particular

server is unavailable for initiation of new operation sessions of applications. (paragraph

[0024] for each of the user's requests, the dispatcher assigns said request to a selected

server and the outgoing response information indicating that the server is unavailable

and that the request has been re-routed is relayed back to the client by the dispatcher 130)

With respect to claim 14, Yang teaches a system according to claim 12, wherein said interface processor parses data representing a URL to identify whether a URL associated data request is associated with a previously initiated operation session of an application. (paragraph [0051 -0052] the dispatcher 130 takes an incoming request and parses the URL table to tag the start and end of the client session and directs all subsequent requests from the client accordingly)

With respect to claim 15, Yang teaches a system according to claim 12, wherein said interface processor terminates a previously initiated operation session of an application in response to a timeout command. (paragraph [0049] when a failure occurs on a web server, the end user experiences a timeout and the session is terminated)

With respect to claim 16, Yang teaches the system according to claim 12, including a display generator for initiating generation of data representing at least one display image enabling user entry of a command changing a destination address stored in said particular server from a first destination address to a second destination address. (paragraph [0032] the network admin accesses the URL table which is provided by a display to change a destination address stored in a server from a first destination to a second destination)

With respect to claim 17, Yang teaches the system according to claim 12 wherein said interface processor in said particular server changes a destination address stored in said particular server from a second destination address to a first destination address, in response to user command, said change to said first destination address being used to identify said particular server is available for initiation of new operation sessions of applications. (paragraph [0024] in response to a user request, the dispatcher 130 directs incoming requests to a selected server. paragraph [0025] when one server fails the request is routed to another server)

3.   Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Bennett et al., U.S. 200200112014.

With respect to claim 18, Bennett et al. teaches a user interface system enabling a user to reduce workload of a server to support maintenance of said server, comprising: a display generator for initiating generation of data representing at least one display image (paragraph [0077] an html page is displayed to the user), enabling user entry of a command [Fig. 2, number 72, user entered information) changing a destination address stored in a particular server from a first destination address to a second destination address(paragraph [0077] message is sent to server Fig 2., number 86 then the routing database is consulted. Fig 2, step 88), said change to said second destination address being used to identify said particular server is unavailable for

initiation of new operation sessions of applications and in response to failure of said

command (Figure 2, step 106) indicating said failure by an indicator in said at least one

display image (paragraph [00770] if there is failure at the database an error message

displayed to the user in the form of an html page).

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Call, Charles Gainor U.S. 2002/0161745 which discloses
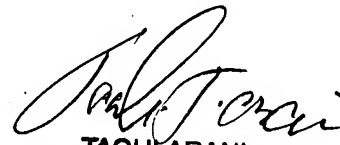
methods for transferring requests over the internet.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ryan J. Jakovac whose telephone number is 571-270-

5003. The examiner can normally be reached on Monday through Friday, 7:30 am to

5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Taghi T. Arani can be reached on 571-272-3787. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

TAGHI ARANI
PRIMARY EXAMINER